



REQUEST FOR PROPOSALS

Community Development RFP #2026-1 HOME Investment Partnership Program

HOME Rental Subsidy Funding

Vendor proposals will be accepted until:

Thursday, May 28, 2026 at 3:00 PM

- **Four (4)-sealed copies and one (1) electronic copy of the proposal. All four (4) proposals may be placed in one sealed envelope/package.**
- **In each of the four (4) RFP packets being submitted, EACH page requiring a signature, must be an original signature, and must be signed in [BLUE INK.](#)**

Please submit to:

Town of Amherst
Planning Department
5583 Main Street
Williamsville, New York 14221

Mark on lower left-hand corner of envelope:

Community Development RFP #2026-01 for HOME Rental Subsidy Funding
Due Date: 05/28/26 By 3:00 P.M.

Submitted by:

Following EXHIBITS are attached to and made a part of the proposal, and part of any agreement entered into pursuant to this Request for Proposal:

- | | | |
|--------------|-------------|-----------------------------------|
| <u> X </u> | Exhibit "A" | - Project Proforma |
| <u> X </u> | Exhibit "B" | - Development Budget |
| <u> X </u> | Exhibit "C" | - HOME-ARP Qualifying Populations |

REQUEST FOR PROPOSALS

**Town of Amherst
Planning Department**

**Community Development RFP #2026-1
HOME Investment Partnership Program**

HOME Rental Subsidy Funding

Sealed proposals for the above mentioned project in the Town of Amherst, NY will be received by the Amherst Planning Department in the Municipal Building, 5583 Main Street, Williamsville, NY 14221 on or before 3:00 PM local time on May 28, 2026.

The Request for Proposals can be viewed under the Community Development Page of the Town's Website (<https://www.amherst.ny.us/>) or provided upon request. Contact lstillwell@amherst.ny.us or (716) 631-7050 for additional information.

By Order of the Town Board
Town of Amherst, New York

Laurie Stillwell
Community Development Director

Date: April 16, 2026

HOME Investment Partnerships Program Introduction

The Town of Amherst has federal funds available through the U.S. Department of Housing and Urban Development's (HUD) HOME Investment Partnerships Program (HOME) to support the creation of affordable rental housing opportunities for low-income households; seniors and/or the disabled. In addition to traditional HUD HOME funding, the Town also has funding available to serve certain "qualifying populations" under the special appropriation to HOME funding from the American Rescue Plan Act (HOME-ARP). Both HOME-ARP and traditional HOME Funds may only be awarded to projects that demonstrate a gap in financing and a need for additional resources.

Based on the *FY 2025-2029 Consolidated Plan for the Amherst, Cheektowaga, Tonawanda HOME Consortium*, the Town of Amherst has identified the need for new affordable rental housing for low-income households, seniors and/or the disabled. In addition, the Consortium's HOME-ARP Allocation Plan has identified the need for new affordable rental housing for homeless populations or those at threat of homelessness.

At this time, Amherst Community Development is seeking proposals for the use of HUD HOME and HOME-ARP funding necessary towards the creation of new affordable rental housing as in-fill development for sites located town-wide and within the Village of Williamsville. While priority areas exist for Eggertsville, the Creekwoods area, and the Opportunity Zone (Census Tract 92), projects located outside of those areas are encouraged to apply. Conversion of underutilized non-residential buildings to affordable rental housing is also desired.

Please Note: This RFP is not applicable to proposals for projects within the former Boulevard Mall properties, which will have a separate RFP published at a later date.

Proposed Projects should be consistent with the *Town of Amherst's Bicentennial Comprehensive Plan* and the *Town of Amherst Zoning Ordinance* (Chp. 203 Amherst Town Code) therefore, potential applicants are encouraged to consult with the Amherst Planning Department, as appropriate. All development activity will be viewed as a catalyst to encourage and support future development activities in the priority areas mentioned above.

The following will be considered during this funding round:

- Requests for Amherst HOME funds, for new construction or conversion of a building's primary use to affordable rental housing, in the maximum amount of \$500,000, not to exceed a 20% investment in total project cost, and no more than \$100,000 per HOME-Assisted Unit.
- Requests for Amherst's HOME-ARP funds, for new construction or the conversion of a building's primary use to affordable rental housing, in the maximum amount of \$1,900,000 available, with a maximum per-unit ratio of \$280,000 per HOME-ARP Assisted Unit.

*All HOME Funding is provided in the form of a loan. All HOME-ARP funding will be provided as a grant, with the requirement to be loaned into the project. Preferred terms, conditions, repayment and repayment schedule must be addressed in any response to this request for proposals.

HUD HOME Funding Requirements

Applicants are expected to be familiar with and comply with all applicable HOME program regulations, which include, but are not limited to:

- The housing project to be assisted with HOME funds has an anticipated start date within 12 months from final commitment;
- The project meets eligibility and underwriting requirements including maximum subsidy limits;
- Compliance with the Environmental Review under 24 CFR Part 58;
- Compliance with accessibility standards in accordance with Section 504 of the Rehabilitation Act of 1973 as amended and as implemented under 24 CFR Part 8;
- HOME funds must be used to provide housing for residents whose income is below 80% Area Median Income (AMI);
- HOME-ARP funded units must provide housing for residents who meet one of the definitions of the HOME-ARP "Qualifying Populations" (see Exhibit C).
- Housing produced with HOME funds must meet quality standards as decent, safe and sanitary housing and must be maintained to HUD Housing Quality Standards (HQS);
- HOME-Assisted Rental units must remain affordable for periods of 20 years or more for new construction/renovation as evidenced by a written agreement;
- HOME-ARP Assisted Rental units must remain affordable for periods of 15 years or more for new construction/renovation as evidenced by a written agreement;
- Compliance with HUD maximum household income and rent limits, according to unit's funding source;
- Compliance with HUD's Affirmative Marketing Regulations (24 CFR Part 92.351) and Fair Housing Laws;
- Compliance with HUD's Procurement standards, including Minority and Women Business Enterprises and Section 3 requirements;
- Compliance with HUD's Conflict of Interest policies;
- Compliance with all deadlines, monitoring reviews, reporting requirements and written agreements; and
- Compliance with any other applicable federal laws.

*Applicants will be expected to provide copies of their entity's policies with respect to enforcing these requirements. Amherst has the right to impose stronger requirements than those stated in these regulations.

Additional Federal Requirements

The following are some of the additional program requirements that must be met once a project is selected for funding:

1. **Affirmative Marketing Plan** - The organization renting or selling the units must follow an Affirmative Marketing Plan to reach income eligible families as described in 24 CFR 92.351 for projects with 5 or more HOME-assisted units. The Final Affirmative Marketing Plan must be approved by the Town of Amherst prior to implementation.
2. **Federal or State Wage Rates** - For projects with 12 or more units, Davis-Bacon regulations must be followed in addition to the bidding requirements as described in Title 42, Chapter 69, Section 5310; otherwise, NYS prevailing wage rates apply.
3. **Section 3 Reporting** - For HOME-assisted projects requesting over \$300,000, Section 3 requirements apply, requiring developers and contractors to make best efforts to direct employment, training, and contracting opportunities to low- and very low-income persons and Section 3 businesses, while tracking and reporting labor hours and outcomes to HUD. These requirements are established under Section 3 of the Housing and Urban Development Act of 1968 and implemented through 24 CFR Part 75, which govern compliance and reporting for applicable HOME-funded activities.

For the full HOME Program Regulation documents at 24 CFR Part 92 please go to:
<https://www.hudexchange.info/programs/home/>

Proposal Rules & General Instructions

1. The proposal should be complete in its material requirements and signed by an authorized representative of the applicant entity.
2. Proposals chosen to move forward from this RFP stage will receive a letter indicating the Town has reserved funding for the project, and final award will be pending full final application and underwriting once all final funding source commitments are received and environmental review is complete. The Town will continue to work with successful proposals on the final application and additional documentation needed in order to complete underwriting and ensure HUD compliance.
3. The Town of Amherst reserves the right to suspend, amend, or modify the provisions of this RFP, to waive selected requirements or limitations herein, to reject all proposals, to negotiate modifications of proposal, or to award less than the full amount of the funding available; all in its sole discretion.
4. All funding decisions related to the RFP are subject to all applicable federal, state, and local laws and regulations, and the policies and procedures of the Town of Amherst for the administration of federal funds.
5. Applicants should be aware that any HOME funding provided will be made in the form of a LOAN, and that any HOME-ARP Funding will be provided in the form of a GRANT, which must be Loaned into the project. Requested terms of repayment, interest and repayment schedule must be addressed in all proposals.

Proposal Selection Methodology

The Town of Amherst Community Development staff will review of applications to determine if the proposal meets the following **threshold requirements**, as listed below. If a project satisfies all threshold criteria, it will be evaluated for **preliminary underwriting** by the Town’s third-party underwriters. Incomplete applications or projects that do not meet threshold requirements will not receive further consideration. Town staff and the Underwriters reserve the right to request additional information.

Following threshold and preliminary underwriting approvals, proposals will then be **evaluated for funding based on qualitative elements** of the proposed project. If one proposal is received, Community Development staff planners will evaluate the qualitative elements for satisfactory justification of funding and document the justification in a staff report.

If more than one proposal is received, Amherst Community Development will appoint a Proposal Advisory Group (PAG) to review all qualitative elements on a **consensus-based comparative evaluation model**, in lieu of numerical scoring. The PAG will assess and compare proposals based on key criteria outlined in this RFP below, identifying relative strengths and weaknesses through structured discussion to determine the proposal that offers the best overall value and alignment with program objectives and town desires. The Town reserves the right to fund more than one proposal if current funding levels allow.

Threshold Requirements and Preliminary Underwriting

The Town of Amherst seeks affordable housing development projects that will be strong, long-term, sustainable real estate developments offering quality communities for both the residents and the surrounding neighbors. To be considered for funding, an applicant must at a minimum meet the following threshold requirements and pass preliminary underwriting through the submittal of a written narrative and/or other supporting documentation for the following criteria:

Threshold: Project Intent & Public Purpose	Pass/Fail
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Proposals must sufficiently describe or provide project plans that detail an Affordable Housing Rental Project, including: the location and scale of the development; number and size of units; unit design and layout; intended affordability breakdown by unit; population targeted (income, household size, special needs, etc.); on-site amenities and services offered as part of the project (if applicable); and nearby off-site amenities within a 2-mile radius.

All projects seeking funding must:

- Create new affordable housing through the development of new units, OR the conversion of other uses to residential in underutilized and vacant buildings; and
- Provide the majority of units as affordable, serving households at 40 to 80% of the Area Median Income (AMI), with the proposed HOME-assisted units serving households at or below 60% AMI;

Note: *Housing for individuals with disabilities: requires minimum 5% mobility accessible, plus 2% visual and sensory accessible per HUD’s section 504 requirements and American with Disabilities Act (ADA) standards.*

Special Program Priorities include (in order of importance):

1. Projects serving seniors, the disabled, and/or mixed-income/use projects with a scale above 8 housing units will receive priority for funding;

2. Priority is also given to in-fill projects that are located within the Boulevard Central District (Census Tract 92), Eggertsville or Creekwoods neighborhoods; or
3. Housing that promotes greater access to opportunity such as schools, transit and job centers.
4. Projects that include a Community Housing Development Organization (CHDO) as an owner, developer, or sponsor of the project, as defined by the HUD HOME Investment Partnerships Program. CHDO status must be certified by the Town of Amherst in order to seek this priority.

Threshold: Financial Feasibility and Financial Need

Pass/Fail

The proposal must document that the inclusion of Amherst HOME funding for the proposed development is necessary, and the project's financials must demonstrate they are realistic and viable with a public subsidy of the HOME funds requested. The following financials and supplemental attachments must be submitted, which will be evaluated by the Town's third-party underwriters:

- A detailed Sources and Uses of Funds Statement (Exhibit B);
- A 20-year Proforma showing operating income, operating expenditures, replacement reserves, debt service and related debt coverage ratios (Exhibit A);
- A chart showing the anticipated capital needs of the property for the next 10 years;
- Equity investment and leveraging of other available financing being sought and timeframe by which commitment is expected;
- For rehab/conversion projects, evidence the proposed work will meet physical repair needs of the building and improve operating costs, and the level of rehab proposed is appropriate, adequate, and feasible.

At a minimum, Preliminary underwriting will evaluate the submitted financial documentation to determine the following:

- Justification for the level of funding requested;
- Cost reasonableness of total project; including construction costs, per-unit development cost, developer equity, and developer fee;
- Reasonableness of the development budget and effective capital stack for project with all appropriate contingencies;
- Reasonableness of the property's acquisition cost and fair market value;
- Analysis of the total subsidy layering (all sources);
- Evidence/status of financial commitments;
- Proposed number of HOME-assisted units per amount of funding assistance requested;
- Proposed total number of units for tenants below 60% of AMI in project;
- HOME funds per unit development cost;
- HOME funds Debt Service Coverage Ratio met or exceeded;
- Proposed repayment of HOME funds;

- Appropriate long-term operating budget/cost analysis, and 20-year Pro-forma.

Threshold: Development Team Capacity

Pass/Fail

The proposal must provide documentation that demonstrates that the development team has the experience, capability and capacity to implement the proposed project. Proposal must provide information on at least 1 similar project implemented by the applicant and operational, including years in service, completion timeline, and project cost. Also, provide a brief narrative demonstrating the following:

- Brief history on the Applicant Company/Agency/Non-Profit;
- Demonstration of key staff experience and expertise to complete the project (resumes);
- Prior experience with HOME and/or other Federal grant programs related to the development of affordable housing;
- Satisfactory compliance with HOME Monitoring of other existing projects subsidized with HUD funding, if applicable;
- Participation of MBE/WBE business partners and Section 3 Business Plans, if applicable;
- Demonstration of financial capacity to carry-out projects of the proposed scale;
- Identification of any potential conflicts of interest; assurance that the appropriate disclosures are made and documentation of the steps taken to ensure transactions are conducted at arm's length.

Threshold: Leveraging

Pass/Fail

Funding is available to provide "gap" financing for the new construction or rehabilitation of a project of scale, in the maximum amount not to exceed \$500,000 of HOME funds and/or \$1,900,000 of HOME-ARP funds per project. Gap needs will be confirmed by the Town's third-party underwriters based on the submittal of the financial documentation outlined above. For all HOME funds, the applicant must identify other public/private financial resources.

Threshold: HUD Site and Neighborhood Standards

Pass/Fail

For new construction projects, the applicant has documented that the proposed project meets HUD Site and Neighborhood Standards found in 24 CFR § 983.6(b).

Threshold: Market Feasibility

Pass/Fail

The applicant must document the market feasibility of the proposed project based on a current market study which must be prepared by a qualified independent market analyst not affiliated with the members of the development team. Market Study should reflect the following:

- Executive summary & methodology.
- Detailed description of the site and market study area, including primary and secondary market areas with corresponding maps.
- Map showing proximity to public services, including public transportation, with distances (narrative).
- Detailed project description including number of bedrooms, unit size in square feet, and utility allowance schedule for tenant paid utilities and rents.

- Market study is less than 1 year old and prepared recently enough to comply with other lender/investor’s requirements.
- Demonstrates a robust market for the project.
- Includes findings/data on vacancy, turnover, and comparable rents.
- Estimate number of rental households qualified by income and age, if appropriate, for the targeted programs and special needs set-asides in the primary market area.
- Provide rents levels, operating expenses, comparative amenity study, turnover rates, waiting lists and vacancy rates of comparable projects.
- Provide absorption rate for proposed project (number of units monthly).
- Provide support for the proposed vacancy rate and income targeting for the project.
- Summary of market related strengths and weaknesses which may influence project’s marketability.
- Opinion by the market analyst of the market feasibility including the prospect for long term performance of property given economic factors.

Threshold: Evidence of Site Control **Pass/Fail**

The applicant has a specific site for development, and evidence of site control for at least a period of 12 months following the date of application.

Threshold: Land Use and Zoning **Pass/Fail**

The proposed project meets applicable zoning and land use requirements, OR evidence is included as part of the application demonstrating the applicable requirements will be met (i.e. properly zoned and awaiting site plan approval). Provide documentation of the status of all zoning/planning approvals required for the project to-date, including if the property is zoned for intended use; or if rezoning or variances are required, and the status of that request. Provide detailed schedule of dates of approvals or anticipated timeline of obtaining any required outstanding approvals.

Threshold: Management Plan **Pass/Fail**

The applicant has prepared a preliminary/conceptual Management Plan that outlines a management structure, including defined roles and responsibilities of the owner and management agent, the experience and track record of the property management agent, and sufficient experience for the type of tenant clientele.

Threshold: Affirmative Marketing Strategy & Tenant Selection Plan **Pass/Fail**

Preliminary Affirmative Marketing Strategy and Tenant Selection Plan have been prepared that demonstrate an intentional, documented effort to reach all eligible tenant populations fairly and equitably, especially those historically underrepresented. HOME-funded projects must follow affirmative marketing requirements under 24 CFR 92.351 and align with the Tenant Selection Plan’s procedures regarding selection, wait lists, preferences, and screening criteria.

Threshold: Environmental Assessment Components **Pass/Fail**

The property has undergone environmental due diligence in the form of a Phase 1 Environmental Site Assessment and if required, follow-up assessments and remediation plans developed. The property has also

undergone a lead paint and asbestos risk assessment (if not vacant land) and has a remediation plan developed, as needed, with the certified firm included in the Development Team information.

For renovation projects, radon tests were performed and indicate acceptable levels below NYS Department of Health thresholds for buildings with residential occupancy. For new construction, project designs account for the potential presence of Radon post construction (i.e. foundation designs accommodate radon mitigation, which cannot be tested for until post-construction).

Rehabilitation and New Construction projects with existing buildings on-site have consulted with the NYS Historic Preservation Office regarding the potential to impact to historic resources on the site as part of the project's development or renovation.

Projects proposed within or adjacent to Flood Plains or Wetlands have consulted with all applicable state and federal agencies regarding potential permits and approvals. Identify the status of such correspondence, if applicable, and any pending approvals.

Qualitative Elements for Consideration of Funding

Qualitative: Project Design

Proposals will be evaluated on the overall quality and feasibility of the project design, as demonstrated through preliminary construction documents, including concept-level site plans, utility and grading plans, landscaping plans, and conceptual elevations, floor plans, and foundation plans. Evaluation will consider whether the design is cohesive, sustainable, and appropriate for the site; whether proposed amenities are appropriate to the population served; and whether applicable HOME construction standards are met. Consideration will also be given to the quality of proposed materials, the clarity of plans and specifications, and the extent to which the project meets or exceeds HOME Program accessibility requirements.

Qualitative: Public Purpose

Proposals will be evaluated based on the extent to which they demonstrate a clear public purpose, including alignment with identified community needs, local planning documents, and fair housing objectives, as well as their ability to serve underserved populations through deep and long-term affordability. Evaluation will consider the project's integration within the surrounding neighborhood, quality of design, and proximity to services that support resident quality-of-life. Consideration will also be given to how well the proposal leverages public investment.

Qualitative: Physical Assessment (applicable to Conversion/Rehabilitation Projects)

The proposed work will meet physical repair needs of the building for conversion and improve operating costs. The level of conversion/rehabilitation proposed is appropriate, adequate, and feasible.

Qualitative: Neighborhood Fit

Clearly demonstrate that the proposed project is contextually appropriate and compatible with the surrounding neighborhood. This includes a thoughtful integration with adjacent properties and existing land uses in terms of scale, massing, density, and overall character. The proposal reflects an understanding of the neighborhood's established development pattern and contributes positively to its visual and functional cohesion. In addition, the project provides convenient and practical access to nearby amenities

and essential services, such as transportation options, retail, employment centers, schools, and community facilities, supporting both livability and long-term sustainability.

Qualitative: Readiness to Go

The projected development schedule is reasonable and an ability to proceed within 12 months of receipt of final financing, project will have the necessary financing, zoning and site development approvals.

Qualitative: Participation of MBE/WBE Business Partners and Section 3 Business Interests

The development team has engaged MBE/WBE business partners and Section 3 Business Interest and qualified employees to perform work on the project, and has a preliminary written plan to attract these business partners and interests, and employees for open employment opportunities.

Qualitative: Support Services (if applicable)

If applicable, the applicant has prepared a preliminary/conceptual Supportive Services Plan for services to be provided to residents, and has written evidence or memorandums of understanding demonstrating commitment from stakeholders or organizations to provide these services.

Proposal Schedule & Submittal Requirements

The schedule for this Request for Proposals (RFP) is:

- Issue HOME Program RFP: April 16, 2026
- Application submission deadline: May 28, 2026
- Reservation of Funding Notification: No later than July 15, 2026

*The Town of Amherst, in its sole discretion, reserves the right to modify the above dates.

Please submit an original and three copies of the complete Application. Additionally, applicant must submit one complete electronic copy in PDF format on a flash drive. All completed applications must be submitted to: Town of Amherst, Planning Department, 5583 Main Street, Williamsville NY 14221.

Interpretation of Documents

All questions about the meaning or intent of the criteria contained herein must be submitted via email to lstillwell@amherst.ny.us. Please include "CD-RFP #2026-01 Questions" in the email subject line. Replies will be issued by Addenda and emailed to all parties recorded as having received the proposal documents. Questions received within 5 days of the RFP opening will not be responded to.

Proposal Cover Sheet

TOWN OF AMHERST HOME INVESTMENT PARTNERSHIP PROGRAM

Applicant Name:

Project Name:

Project Address:

Federal Tax ID Number:

Applicant Status: _____Private Corporation/Individual_____Non-Profit Corporation

Total Number of Units:

Number of HOME-Assisted Affordable Units:

Total Project Cost:

HOME Funds Requested:

Chief official of applicant

Name & Title:

Mailing Address:

Phone:

Email:

Designated contact person for this application

Name & Title:

Mailing Address:

Phone:

Email:

I HEREBY SUBMIT THIS PROPOSAL FOR THE CONSIDERATION OF FINANCIAL ASSISTANCE IN SUPPORT OF THE PROJECT HEREWITHIN DESCRIBED. I CERTIFY THAT ALL INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. IF SELECTED FOR FUNDING, I WILL COOPERATE FULLY WITH THE TOWN OF AMHERST TO COMPLY WITH LOCAL AND FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM GUIDELINES, AS APPLICABLE.

The undersigned certifies that to his/her knowledge as of the date hereof, no principal, officer, board member, employee responsible for managing finances, consultant or contractor acting as a fiscal agent of or to the Applicant, has been convicted of a local, state or federal criminal offense involving moral turpitude or dishonesty in the last 10 years or, if sooner, since reaching the age of eighteen (18). (If the Applicant cannot certify to this statement, please submit a signed statement explaining the related facts and circumstances).

Authorized Signature: _____ Date: _____

Printed Name: _____

Title: _____

Exhibit A

20 – Year Project ProForma

MSExcel File can be provided upon Request

Exhibit B

Development Budget

		Sources of Funds				
Uses of Funds		HOME	Source	Source	Source	Total
1	Site Acquisition					
a.	Land					
b.	Building					
c.	Closing costs					
d.	Total other costs – provide detailed list					
e.	Subtotal					
2	Project Soft Costs					
a.	Appraisal(s)					
b.	Consultant fees - provide detailed list					
c.	Survey(s)					
d.	Environmental testing / soil borings					
e.	Asbestos / lead paint testing / risk assessment / clearance					
f.	Architect fees - Design					
g.	Architect fees – Construction Monitoring					
h.	Engineering fees					
i.	Legal fees					
j.	Cost certification audit					
k.	Insurances - provide detailed list					
l.	Utilities					
m.	Interim taxes - provide detailed list					
n.	Marketing					
o.	Sales commissions					
p.	Temporary relocation costs					
q.	Seller's closing costs - - provide detailed list					
r.	Performance bond premium					
s.	Interim financing					
t.	Developer's fee					
u.	Total other costs – provide detailed list					
v.	Subtotal					
Uses of Funds		HOME	Source	Source	Source	Total
3	Construction Costs					
a.	Site preparation / demolition					
b.	Infrastructure					
c.	Asbestos removal					
d.	Construction / Rehabilitation - residential					
e.	Lead based paint remediation					
f.	Construction / Rehabilitation – commercial / other					
g.	Builder's General Overhead					
h.	Builder's Profit					
i.	General Requirements					
j.	Contingency					
k.	Permits -					
l.	Total other costs – provide detailed list					
m.	Subtotal					
4	1, Total Development Cost (1e +2w+3w)					
5	1, Working Capital					
a.	Initial operating deficit					
b.	Initial operating deficit - HOME					
c.	Supplemental management fee					
d.	Marketing					
e.	Purchase of maintenance and other equipment					
f.	Total other costs – provide detailed list					
	Total Working Capital					
6	Project Reserves					
a.	Capitalization of operating reserve					
b.	Replacement reserve					
	Total Project Reserves					
7	Other Project Expenses					
a.	Syndication costs					
b.	Partnership expense					
c.	Section 3 Compliance Costs *					
d.	Section 504 Compliance Costs *					

* Compliance costs should be part of the line item budget costs detailed above, however, an estimate of the actual additional cost to the project attributable to these regulations should be provided here.

Exhibit C

HOME-ARP Qualifying Populations

“Qualifying Populations” are defined according to the HUD CPD Notice 21-10 as follows:

1. Homeless, as defined in 24 CFR 91.5 *Homeless* (1), (2), or (3):

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or
 - (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
 - (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
 - (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child

or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;

2. At risk of Homelessness, as defined in 24 CFR 91.5 At risk of homelessness:

(1) An individual or family who:

(i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;

(ii) Does not have sufficient resources or support networks, e.g., family, friends, faithbased or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “Homeless” definition in this section; and

(iii) Meets one of the following conditions:

(A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;

(D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals;

(E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;

(F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

(2) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C.5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

(3) A child or youth who does not qualify as “homeless” under this section but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD.

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual’s or family’s primary nighttime residence or has made the individual or family afraid to return or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

Domestic violence, which is defined in 24 CFR 5.2003 includes felony or misdemeanor crimes of violence committed by:

- 1) A current or former spouse or intimate partner of the victim (the term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship);
- 2) A person with whom the victim shares a child in common;
- 3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- 4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving HOME-ARP funds; or
- 5) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence which is defined in 24 CFR 5.2003 means violence committed by a person:

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship;
 - b. The type of relationship; and
 - c. The frequency of interaction between the persons involved in the relationship.

Sexual assault which is defined in 24 CFR 5.2003 means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

Stalking which is defined in 24 CFR 5.2003 means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) Fear for the person's individual safety or the safety of others; or
- 2) Suffer substantial emotional distress.

Human Trafficking includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7102). These are defined as:

- 1) Sex trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- 2) Labor trafficking means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

4. Other Populations where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. HUD defines these populations as individuals and households who do not qualify under any of the populations above but meet one of the following criteria:

(1) Other Families Requiring Services or Housing Assistance to Prevent Homelessness is defined as households (i.e., individuals and families) who have previously been qualified as "homeless" as defined in 24 CFR 91.5, are currently housed due to temporary or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness.

(2) At Greatest Risk of Housing Instability is defined as household who meets either paragraph (i) or (ii) below:

(i) has annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e., is paying more than 50% of monthly household income toward housing costs);

(ii) has annual income that is less than or equal to 50% of the area median income, as determined by HUD, AND meets one of the following conditions from paragraph (iii) of the "At risk of homelessness" definition established at 24 CFR 91.5:

- (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
- (B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;

(D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;

(E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;

(F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan

Veterans and Families that include a Veteran Family Member that meet the criteria for one of the qualifying populations described above are eligible to receive HOME-ARP assistance.